



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/434,440	11/05/1999	ATSUSHI FUJIOKA	162/534	3957

7590 09/10/2003

POLLOCK VANDE SANDE & AMERNICK RLLP
P O BOX 19088
WASHINGTON, DC 200363425

EXAMINER

LANIER, BENJAMIN E

ART UNIT	PAPER NUMBER
----------	--------------

2132

DATE MAILED: 09/10/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/434,440

Applicant(s)

FUJIOKA ET AL.

Examiner

Benjamin E Lanier

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-9, 11-17, 19-23, 25-29 are rejected under 35 U.S.C. 102(a) as being anticipated by Fujioka. Referring to claims 1, 2, 4-6, 8, 9, 11-14, 16, 17, 19, 21-23, 25, 27-29, Fujioka discloses a secure electronic voting system wherein a voter enters their name and password prior to voting. Once the voter makes their choice the ballot is blinded (encrypted) using a public key and a random number (random information, tag). The voter also generates a secret key that is encrypted with the public key that is sent to the administrator (administrator apparatus) along with the blinded ballot, and the user name and password. The administrator checks the user name and password for authenticity (verifies voter apparatus) generates a signature and signs the package and sends it back to the voter. The voter checks the signature and then sends the signature and the encrypted package to the counter. The counter decrypts the package and checks the signature, and the sums and posts the results (Pages 246-248 of A Practical Secret Voting Scheme for Large Scale Elections by Fujioka).

Referring to claims 3,15, 20, 26, Fujioka discloses that the voter can check to list to make sure that his ballot is present (check tag, page 248).

Referring to claim 7, Fujioka discloses that the voter signs the message that includes the ballot and identification information (Page 247).

Art Unit: 2132

3. Claims 1-30 are rejected under 35 U.S.C. 102(a) as being anticipated by Herschberg. Referring to claims 1-9, 11-17, 19-23, 25-29 Herschberg discloses a secure electronic voting system wherein a voter enters their name and password prior to voting. Once the voter makes their choice the ballot is blinded (encrypted) using a public key and a random number (random information, tag). The voter also generates a secret key that is encrypted with the public key that is sent to the administrator (administrator apparatus) along with the blinded ballot, and the user name and password. The administrator checks the user name and password for authenticity (verifies voter apparatus) generates a signature and signs the package and sends it back to the voter. The voter checks the signature and then sends the signature and the encrypted package to the counter. The counter decrypts the package and checks the signature, and the sums and posts the results (Pages 22-25 of Secure Electronic Voting Over the World Wide Web by Herschberg).

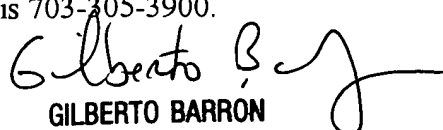
Referring to claims 10, 18, 24, 30, Herschberg discloses using threshold decryption (page 73, third paragraph).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin E Lanier whose telephone number is 703-305-7684. The examiner can normally be reached on M-Th 7:30am-5:00pm, F 7:30am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703)305-1830. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100